

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 504 be amended to read as follows:

- 1 Page 7, after line 42, begin a new paragraph and insert:
- 2 "SECTION 3. IC 36-1-12-22 IS ADDED TO THE INDIANA
- 3 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 4 [EFFECTIVE JULY 1, 2005]: **Sec. 22. (a) A municipal school**
- 5 **corporation may purchase the following materials for a public**
- 6 **work in the manner provided by IC 5-22:**
- 7 (1) roofing materials;
- 8 (2) commercial floor coverings;
- 9 (3) athletic resurfacing materials; or
- 10 (4) playground equipment.
- 11 (b) Labor used in the performance of any portion of a public
- 12 work for which materials are purchased through a cooperative
- 13 purchase program pursuant to subsection (a) may be included in
- 14 such purchase provided that:
- 15 (1) The labor is performed by an Indiana based contractor or
- 16 subcontractor;
- 17 (2) Such labor is subject to IC 5-16-7 in its entirety, provided
- 18 however that the wage scale must be established two weeks
- 19 prior to the issuance of a contract for the actual performance
- 20 of the work;
- 21 (3) The employees of each Indiana based contractor and
- 22 subcontractor providing labor have completed or are
- 23 enrolled in an apprenticeship program certified by the
- 24 United States Department of Labor or a state apprenticeship
- 25 council;

1 **(4) Each Indiana based contractor or subcontractor**
2 **providing labor shall furnish each week a certified statement**
3 **with respect to the classification of labor and wages paid each**
4 **worker, in the performance of the contract for the project,**
5 **during the preceding weekly payroll period. The statement:**

6 **(A) must be executed by:**

7 **(i) the contractor or subcontractor; or**

8 **(ii) an authorized officer or employee of the**
9 **contractor or subcontractor who supervises the**
10 **payment of wages; and**

11 **(B) must be on the Certified Payroll Report form, State**
12 **Form 51459 or its equivalent.**

13 **The contractor or subcontractor shall deliver each weekly**
14 **statement to the board not later than seven (7) days after the**
15 **regular payment date of the payroll period.**

16 **(c) Notwithstanding the manner in which materials and labor**
17 **are purchased under this section, the cost of the public work**
18 **project must be determined in accordance with IC 36-1-12-19.**

19 **(d) A purchase of materials and labor for a public work**
20 **project pursuant to this section is exempt from publishing notice in**
21 **accordance with IC 5-3-1.**

22 **SECTION 4. IC 36-1-12.5-0.5 IS ADDED TO THE INDIANA**
23 **CODE AS A NEW SECTION TO READ AS FOLLOWS**
24 **[EFFECTIVE JULY 1, 2005]: Sec. 0.5. As used in this chapter,**
25 **"billable revenues," "billable revenue increases," or "revenues"**
26 **include only revenues of a municipal water or wastewater utility**
27 **operated by a political subdivision."**

28 Page 8, line 10, after "36-1-10-2" insert ");".

29 Page 8, line 10, delete "or".

30 Page 8, delete line 11.

31 Page 8, line 12, after "upgrade;" insert "or

32 **(D) with respect to an installation described in**
33 **subdivision (2)(G) or (2)(H), an alteration of a structure**
34 **or system."**

35 Page 9, delete lines 3 through 11.

36 Page 9, line 12, delete "(J)" and insert "(G)".

37 Page 9, line 14, delete "(K)" and insert "(H)".

38 Page 9, between lines 16 and 17, begin a new line blocked left and
39 insert:

40 **"The term does not include an alteration of a water or wastewater**
41 **structure or system that increases the capacity of the structure or**
42 **system."**

43 Page 9, between lines 25 and 26, begin a new line block indented
44 and insert:

45 **"(4) With respect to a political subdivision that operates a**
46 **municipal water or wastewater utility and in connection with**
47 **the installation of a conservation measure to a water or**
48 **wastewater structure or system under this chapter, the board**
49 **or officer that has the power to award contracts."**

50 Page 9, line 26, delete "(4)" and insert "(5)".

51 Page 9, line 26, reset in roman "other political".

52 Page 9, line 26, delete "subdivisions, units," and insert

- 1 "subdivisions **for any other project or program under this chapter,**".
 - 2 Page 9, delete lines 28 through 29.
 - 3 Page 13, line 2, reset in roman ":".
 - 4 Page 14, line 12, after "7." insert **"(a)"**.
 - 5 Page 14, line 22, delete "Annual" begin a new paragraph and
 - 6 insert:
 - 7 **"(b) With respect to a conservation measure described in**
 - 8 **IC 36-1-12.5-1(2)(G) or IC 36-1-12.5-1(2)(H), annual"**.
 - 9 Page 14, line 25, before "The" begin a new paragraph and insert:
 - 10 **"(c)"**.
 - 11 Renumber all SECTIONS consecutively.
- (Reference is to ESB 504 as printed April 1, 2005.)

Representative THOMPSON